

**REMARKS**

With this Amendment, Applicant amends Claims 21, 24, 25, 27 and 30 and adds new Claims 33-44. No new matter is added. Therefore, Claims 21-44 are all the claims currently pending in the present application.

**Claim Rejections**

Claims 21, 25-27, 31, and 32 stand rejected under 35 U.S.C. § 102(e) as allegedly anticipated by Wagner. Claims 22 and 28 stand rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over Wagner, in view of Nuovo. Claims 23 and 29 stand rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over Wagner, in view of Nishihara. Claims 24 and 30 stand rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over Wagner, in view of Anderson.

Applicant respectfully traverses these rejections as set forth below.

**Claims 21-32**

Regarding the Rejection of independent Claims 21 and 27 over Wagner, Applicant submits that Wagner fails to disclose or suggest a second picture, as recited, which does not include any item which is assigned to a function or which is displayed at the first predetermined position or the second predetermined position and when the display is displaying the second picture, the pressing of the first button or the second button indicates one or more action unrelated to the first item or the second item.

The Examiner asserts that the “profile” and “chart” items illustrated in Figure 9 of Wagner disclose the claimed first item and second item. Wagner fails to disclose or suggest any second picture which does not include any item displayed at the positions at which the “profile” and “chart” items are displayed in Figure 9.

In view of the above, Applicant submits that Wagner fails to anticipate Claims 21 and 27. Further, Applicant submit that none of Nuovo, Nishihara, and Anderson remedy the above-discussed deficiency of Wagner, and therefore, that Claims 22-26 and Claims 28-32 are patentable at least by virtue of their dependence on Claims 21 and 27, respectively. Therefore, Applicant respectfully requests that the rejections of Claims 21-32 be reconsidered and withdrawn.

**New Claims**

With this Amendment, Applicant adds new Claims 33-44 in order more fully to cover various aspects of Applicant's invention as disclosed in the specification. No new matter is added.

Regarding independent Claims 33 and 39, Applicant submits, as discussed above, that none of the cited references teaches or suggests a second picture, as recited, which does not include any items at the first predetermined position of at the second predetermined position, wherein a first action, unrelated to the first item or the second item, is executed by the depression of the first button and a second action, unrelated to the first item or the second item, is executed by the depression of the second button. (Claim 33, see also Claim 39).

Therefore, for at least these reasons, Applicant respectfully requests the allowance of new Claims 33-44.

**Conclusion**

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the


**AMENDMENT UNDER 37 C.F.R. § 1.111**  
**U.S. Appln. No.: 09/408,265**

**Q55939**

Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned attorney at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

  
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